D.B.CIVIL WRIT PETITION NO. 4078/2006
Gypsum Mine Workers Union v. State of Rajasthan & ors.

Date of order : 24.01.2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE GOVIND MATHUR

Shri Anil Vyas for the petitioner
Shri B.L.Tiwari, Dy. Govt. Advocate

While hearing this writ petition on 10.10.2006 the Court had observed that it was not satisfied with the locus standi of the petitioner or their plea that the Government cannot allow private operators to extract gypsum particularly in view of the statements as stated at page 41 to the effect that the present arrangement has not brought positive results. The case was thereafter adjourned on three occasions on prayer of the petitioner one ground or the other. Today when the petition was taken up, counsel Shri Anil Vyas stated that appropriate order may be passed.

The writ petition has been filed for quashing Mineral Policy, 2005 so far as it relates to gypsum contained in para 4.5 of the policy statement allowing grant of lease to gypsum based industries and captive lease to cement industries for consumption of gypsum in their cement plants so that State Undertakings can give attention towards other users of gypsum as well as for checking unauthorised mining of gypsum in that area. It is stated that as per present policy gypsum leases are granted to a person who undertakes to install a gypsum

based industry having an investment of at least Rs. 10 lacs but this policy has not given positive results.

This Court while exercising power of judicial review normally does not interfere with policies of the government unless it is violative of Art. 14 of the Constitution. No such case has been made out in this writ petition. Indeed, we have reservations about locus standi of the petitioner as observed in the order dated 10.10.2006, referred to above.

In the above view of the matter, the writ petition is dismissed.

(GOVIND MATHUR) J. (S.N.JHA), C.J.

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